

# Anthony Zappin

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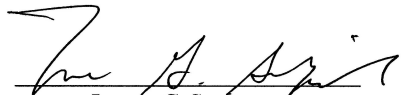
Date: July 16, 2021

## VIA CM/ECF

Judge Lora Schofield  
United States District Judge  
Southern District of New York  
Thurgood Marshall U.S. Courthouse  
40 Foley Square  
New York, NY 10007

Plaintiff's request for an extension is GRANTED. Plaintiff shall file his Proposed Second Amended Complaint and letter as soon as possible and no later than **July 19, 2021, at 11:59 P.M.** Per SDNY Electronic Case Filing Rules Section 23.5, Plaintiff shall electronically file his document "as soon as the system is restored."

Dated: July 16, 2021  
New York, New York

  
LORNA G. SCHOFIELD  
UNITED STATES DISTRICT JUDGE

Re: Zappin v. Supple et al., Case No. 20-cv-5602

Dear Judge Schofield:

I write to request an extension to today to file my Proposed Second Amended Complaint ("PSAC") and accompanying letter in accordance with the Court's July 1, 2021 Order. The PSAC and accompanying letter were due yesterday July 15, 2021. This is my first request for an extension.

An extension is necessary because the SDNY CM/ECF website was down and inaccessible last night when I attempted to file the PSAC and letter. Specifically, when I attempted to access the SDNY CM/ECF website, I repeatedly received an error that the site and server could not be reached. I am attaching screenshots taken on two (2) different computes (a Windows machine and an Apple machine).. I also took a video showing that the SDNY CM/ECF website was inaccessible on two (2) different computers for an extended period of time. The video is available at: <https://www.youtube.com/watch?v=DZnhfCUgrWk>

I began attempting to file the PSAC and letter at approximately 11:30 pm, well before the deadline. However, the SDNY CM/ECF website remained down from approximately 11:30 pm until I finally went to sleep at approximately 1:00 am. I was unable to file it sooner because I was hospitalized for a kidney stone earlier this week and have had time-sensitive professional obligations that took priority after being released from the hospital late Wednesday night.

Additionally, I intended to also file a motion for reconsideration of the July 1, 2021 Order last night. I request a similar one (1) day extension to file the motion for reconsideration.

This is a situation in which an extension is necessary based on circumstances that are well outside my control. Here, the Court's filing website was simply unavailable and unreachable preventing me from timely filing my PSAC. Without an extension, I will suffer prejudice. Defendants will suffer no prejudice.

I thank the Court of its attention to this matter.

Respectfully,

A handwritten signature in blue ink, appearing to read "Anthony Zappin". The signature is fluid and cursive, with the first name "Anthony" and last name "Zappin" clearly distinguishable.

Anthony Zappin

Enclosures

cc: All parties and counsel (CM/ECF)



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